

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

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CLEAR CHANNEL OUTDOOR, INC.,)	U.S. DISTRICT COURT DISTRICT OF MASS.
Boston Division)	
Plaintiff,)	C.A. No. 05-CV-10380 WGY
v.)	
INTERNATIONAL UNION OF))
PAINTERS AND ALLIED TRADES)	
AFL-CIO, CLC, DISTRICT COUNCIL 35,)	Defendant.)
)	

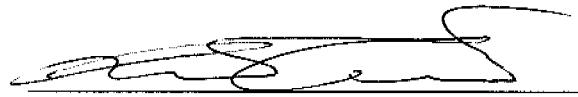
DEFENDANT'S MOTION FOR A PRELIMINARY INJUNCTION
ENJOINING PLAINTIFF FROM CONTINUING TO ENFORCE POLICIES
DECLARED NULL AND VOID BY AN ARBITRATOR PENDING
THIS COURT'S DECISION ON THE MERITS

Defendant Painters and Allied Trades District Council No. 35 respectfully moves the Court for a preliminary injunction enjoining Plaintiff Clear Channel Outdoor from continuing to enforce the Drug and Alcohol Control Program and Motor Vehicle Points System that Arbitrator James Cooper declared null and void *ab initio*, pending this Court's decision on the merits of Plaintiff's Complaint to vacate Arbitrator Cooper's Award and Defendant's Counterclaim to enforce the Award.

The grounds for Defendant's motion are that it has a likelihood of success on the merits, that the public interest will be furthered, and will not be adversely affected by, the injunction, and that Plaintiff will not suffer harm as a result of an injunction. These grounds are set forth fully in the Affidavit of Charles Fogell and Memorandum of Law filed herewith.

Respectfully submitted,

For the Defendant,
Painters and Allied Trades
District Council No. #35
By its Attorney,

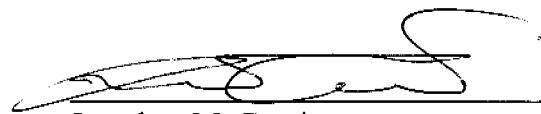


Jonathan M. Conti
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Feinberg, Campbell & Zack, P.C.
177 Milk Street
Boston, MA 02109
(617) 338-1976

DATED: March 25, 2005

CERTIFICATE OF COMPLIANCE

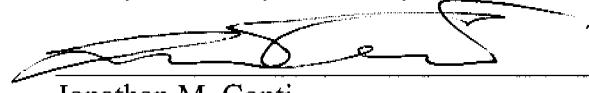
I, Jonathan M. Conti, hereby certify that pursuant to Local Rule 7.1, I have conferred in good faith with counsel of record in this matter.



Jonathan M. Conti

CERTIFICATE OF SERVICE

I, Jonathan M. Conti, hereby certify that I caused a copy of the foregoing document to be served in hand upon George A. Berman, Esq., Peabody & Arnold, LLP, 30 Rowes Wharf, Boston, MA 02110 and via overnight mail to L. Michael Zinser, The Zinser Law Firm, P.C., 150 Second Avenue North, Suite 410, Nashville, TN 37201.



March 25, 2005